

appeal is considered a consent by the inmate to allow prison officials to deduct an initial partial appellate filing fee and later installments from the prisoner's account.

IT IS, THEREFORE, ORDERED that plaintiff's claims are dismissed, pursuant to the provisions of 28 U.S.C. § 1915A, for failure to state a claim on which relief may be granted. It is further

ORDERED that plaintiff's initial partial filing fee is calculated at \$2.37 and the Missouri Department of Corrections is directed to deduct from plaintiff's inmate account, and forward to the court, the initial partial filing fee and installment payments, in accord with the provisions of 28 U.S.C. § 1915, until the \$250.00 filing fee is paid in full.

/s/ _____

NANETTE K. LAUGHREY
United States District Judge

Dated: August 4, 2005
Jefferson City, Missouri